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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/631,238	08/02/2000	Catherine Lin-Hendel	LH013	8086
35070	7590	10/12/2007		
ANATOLY S. WEISER 3525 DEL MAR HEIGHTS ROAD, #295 SAN DIEGO, CA 92130			EXAMINER GART, MATTHEW S	
			ART UNIT	PAPER NUMBER
			3625	
			MAIL DATE	DELIVERY MODE
			10/12/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

09/631,238

Applicant(s)

LIN-HENDEL, CATHERINE

Examiner

Matthew S. Gart

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 August 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5,7-11 and 20-30 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5,7-11 and 20-30 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 8/15/2007 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

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DETAILED ACTION

Prosecution History Summary

- Claims 1-5, 7-11 and 20-30 are pending.
- Claims 6 and 12-19 have been cancelled.

Drawings

The drawings were received on 8/15/2007. The Examiner accepts these drawings.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-5, 7-11 and 20-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schileru-Key (U.S. Patent No. 6,580,441) in view of Mona (PTO-892, Ref U).

Referring to claim 1. Schileru-Key discloses a system for displaying galleries, showrooms, stores or malls on-line, comprising:

means for displaying on an on-line display device to a viewer a plurality of views of at least one room having a first object therein, wherein the means for displaying the plurality of views includes a data packet storing the plurality of views of the at least one room (Schileru-Key: column 13, lines 11-22); and,

command buttons enabling the viewer to virtually move both around the room and around said first object when said first object is displayed in the plurality of different still photographs (Schileru-Key: Fig. 11, "1100").

Mona discloses a system, comprising:

means for receiving from the viewer one or more selections of objects in the at least one room during displaying of any view of the plurality of views of the at least one room to the viewer (Mona: page 2, paragraph 1, "The 'Shockwave' section allows you to

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pick up and rotate sculptures so you can get a close-up, 360-degree view of the details”);

means for displaying to the viewer, in response to receipt from the viewer of a selection of the first object in any view of the plurality of views, the first object in a plurality of different still photographs each taken from equally spaced angles 360 degrees around said object to enable the viewer to view said first object from 360 degrees around said first object and enabling said object to appear to rotate on the display device (Mona: page 2, paragraph 1).

At the time of invention it would have been obvious to a person of ordinary skill in the art to have modified the system of Schileru-Key to have including the teachings of Mona in order to allow users to get a close up, 360-degree view of product details (Mona: page 2, paragraph 1).

Referring to claims 2-5. Schileru-Key further discloses a system wherein the at least one room is a gallery, showroom, store or mall (Schileru-Key: abstract).

Referring to claim 7. Schileru-Key further discloses a system wherein at least one still photograph is identified by a unique frame address (Schileru-Key: Fig. 4).

Referring to claims 8-9. Schileru-Key further discloses a system wherein the displaying means include at least video and audio (Schileru-Key: column 2, lines 10-19).

Referring to claim 10. Schileru-Key further discloses a system wherein each object in the data packet is assigned a unique identification indexed by an area said each object occupies in the still photograph (Schileru-Key: Fig. 11).

Referring to claim 11. Schileru-Key further discloses a system wherein at least one link is assigned to said object, thereby enabling detailed information regarding the object to be retrieved from an external database for presentation to the viewer (Schileru-Key: column 12, line 63 to column 13, line 2).

Referring to claim 20. Claim 20 contains similar limitations as set forth above. Claim 20 is rejected under the same rationale as set forth above.

Referring to claims 21-30. Claims 21-30 contain similar limitations as set forth above. Claims 21-30 are rejected under the same rationale as set forth above.

Response to Arguments

Applicant's arguments with respect to the pending claims have been considered but are moot in view of the new ground(s) of rejection.

The Applicant argues that the references of record, separately or in combination, apparently do not disclose or suggest the selection of an object during presentation.

The Examiner notes, Mona discloses a method wherein a "Shockwave" section allows the user to pick up and rotate sculptures so they can get a close-up, 360-degree view of the details (Mona: page 2, paragraph 2).

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Matthew S. Gart whose telephone number is 571-272-3955. The examiner can normally be reached on M-F, 9-6.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeff Smith can be reached on 571-272-6763. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

MSG
Primary Examiner
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